IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 32853 of 2007(J)

OPMV.1251/1998 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TRIVANDRUM

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PETITIONER:

K.AJITHA, MANNAKKAL,VILAYIL VEEDU,
PAYATTUVILA P.O., BALARAMAPURAM,
THIRUVANANTHAPURAM - 695 501.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)

RESPONDENTS:

KERALA STATE ROAD TRANSPORT
CORPORATION (K.S.R.T.C IN SHORT),
REPRESENTED BY THE MANAGING DIRECTOR,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM - 41.

BY ADV. SRI.K.PRABHAKARAN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No.32853 of 2007

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Dated this the 6th day of November, 2007.

JUDGMENT

Ext.P1 is an award rendered by the Motor Accidents Claims Tribunal, Thiruvananthapuram in O.P.(M.V.) No.1251/1998, awarding a sum of Rs.3,41,600/- to the claimants. This Writ Petition has been filed complaining that since then although execution proceedings has also been initiated, respondents have not deposited the award amount.

2.I heard Standing Counsel for the respondent also. It is submitted that it is only on account of the financial constraints that payments could not be made.

3. Now that the award has become final and despite the lapse of time, it is an admitted fact that payment has not been made. There is no justification for the inordinate delay.

4. In view of the above, I dispose of the W.P. directing that the respondent shall deposit the amount awarded by the MACT in Ext.P1 award, as expeditiously as possible and at any rate, within a period of three months from the date of receipt of copy of this judgment.

ANTONY DOMINIC
Judge

pms